

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

DEVIN KILPATRICK, et al.,)	
)	
Plaintiffs,)	7:03CV5017
)	
vs.)	ORDER
)	
PAT KING, et al.,)	
)	
Defendants.)	

This matter is before the court on the plaintiffs' Motion to Continue Deadline for Response to Defendants' Motion for Summary Judgment (Filing No. 206) and Motion to Submit Evidence Out of Time (Filing No. 207). The plaintiffs have also filed a motion to compel (Filing No. 208). The plaintiffs seek an extension of the deadline to respond to summary judgment until after the court rules on the motion to compel. However, the plaintiff does not yet have transcripts of all the depositions needed to support the motion to compel and so seeks additional time to file the depositions. Upon consideration,

IT IS ORDERED:

1. The plaintiffs' Motion to Continue Deadline for Response to Defendants' Motion for Summary Judgment (Filing No. 206) is granted. The plaintiffs shall have until twenty (20) days after the court's ruling on the motion to compel (Filing No. 208) to file a response to the defendants' motion for summary judgment (Filing No. 179).
2. The plaintiffs' Motion to Submit Evidence Out of Time (Filing No. 207) is granted. The additional depositions shall be filed when available.
3. The defendants shall have to **on or before November 21, 2005**, to respond to the motion to compel. Additional time will be allowed, if necessary due to the belated evidence.

DATED this 3rd day of November, 2005.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge